

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

MCKEBIA D. BRAY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 1:10-CV-0098 (WLS)
	:	
WILLIAM TERRY, <i>Warden</i> ,	:	
	:	
Respondent.	:	
	:	

ORDER

Before the Court is the Report and Recommendation (Doc. 16) from United States Magistrate Judge Thomas Q. Langstaff filed May 27, 2011. Pursuant to 28 U.S.C. § 2254, Judge Langstaff conducted a review of Petitioner’s claims requesting relief from his state convictions because they were allegedly obtained through an “unconstitutional guilty plea.” (Doc. 1 at 5). Respondent filed a Motion to Sever and Dismiss (Doc. 8) on two grounds. First, Respondent alleges that Petitioner improperly raised claims concerning two of the state judgments in a single habeas petition; and, second, Respondent alleges that Petitioner’s claims are untimely. (Doc. 8).

Judge Langstaff recommends that Respondent’s Motion to Sever and Dismiss (Doc. 8) be **DENIED** on both grounds and that Petitioner’s Motions in opposition to Respondents’ Motions (Docs. 11 and 12) be **DENIED-as-moot**. Neither Petitioner nor Respondent have filed objections to date. (*See generally* Docket).

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 16) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly,

Respondent's Motion to Sever (Doc. 8) is **DENIED** and Petitioner's Motions to Not Sever and Dismiss (Doc. 11) and for Extension of Time (Doc. 12) are **DENIED-as-moot**.

SO ORDERED, this 13th day of September, 2011.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**